

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
19925 TWENTY-THREE MILE ROAD  
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR  
NORMAN J. SNAY, CLERK  
MARIE E. MALBURG, TREASURER  
TRUSTEES: DINO F. BUCCI, JR.  
JANET DUNN  
KENNETH MEERSCHAERT, JR.  
CHARLES OLIVER

ABSENT: None  
(Additional attendance record on file with Clerk)

CALL MEETING TO ORDER

Supervisor BRENNAN called the meeting to order at 7:00 P.M.

1. ROLL CALL.

Clerk SNAY called roll. All present.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA ITEMS (with any addendum's)

Additions:

- 14a. Request to schedule Public Hearing for the Revision of the Traditional Development Neighborhood Code.
- 18a. Easement Encroachment Agreement, 20289 Ballantrae Drive, Lot #346, Beacon Square Subdivision.
- 18b. Easement Encroachment Agreement, 46754 Landings Drive, Lot #11, Lakeside Landings Subdivision.

Tabled:

- 14. Request Variance to Land Division Ordinance; Glen Eden East Cemetery. Section 4. AEW, Petitioner.

Supervisors Comments:

- 20a. Employee request for leave of absence.
- 20b. Change Orders on the New Town Center.

**MOTION by DUNN seconded by MALBURG to approve agenda as amended.**

**MOTION carried.**

4. APPROVAL OF BILLS.

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

**MOTION by DUNN seconded by OLIVER to authorize payment of bills as submitted.**

**MOTION carried.**

5. APPROVAL OF MEETING MINUTES.

**MOTION by OLIVER seconded by MALBURG to approve the minutes of July 11, 2001 as presented.**

6. DEPARTMENT MONTHLY REPORTS

- A. Macomb County Sheriffs Department.
- B. Building Department
- C. Fire Department
- D. Water/Sewer Department
- E. Parks and Recreation Department

Trustee DUNN stated that the Parks and Recreation Department Monthly Report was not included.

**MOTION by DUNN seconded by MALBURG move to receive/file and approve the Department Monthly Reports as a consent agenda.**

**MOTION carried.**

7. PUBLIC COMMENTS

Harry Esmont, Edinburgh Estates resident, reviewed numerous concerns regarding the subdivision.

Mary Ann Solomon, Edinburgh Estates resident, stressed her concern regarding a basement that had been dug and poured which is currently being used for dumping.

Supervisor BRENNAN informed the Edinburgh residents that the matter is currently being addressed with the developer and that action will be taken in order to assure the completion of the development.

Sharron Palazzolo, West Creek/Hunter's Pond resident, stated numerous concerns regarding the completion of the community.

**PUBLIC HEARING:**

8. Request for Special Assessment District Street Lighting; Beaufait Farms Subdivision No.3.

Public Hearing commenced at 7:25 p.m.

Supervisor BRENNAN reviewed the cost estimate prepared by Detroit Edison which states the financial obligations of the developer and home owners.

Petitioner Present: Craig Duckwitz of AEW

Public Portion: None

**MOTION by MEERSCHAERT seconded by OLIVER to close the Public Hearing at 7:27 p.m.**

**MOTION carried.**

**MOTION by OLIVER seconded by MEERSCHAERT to adopt the Resolution to create the Special Assessment District; Street Lighting for Beaufait Farms Subdivision No.3.**

**SAD, Street Lighting Beaufait Farms Subdivision No.3  
RESOLUTION ORDERING ESTABLISHMENT  
OF STREET LIGHTING DISTRICT**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on **July 25, 2001**, at 7:00 P.M., Eastern Standard Time.

PRESENT: John D. Brennan, Norman J. Snay, Marie E. Malburg, Dino F. Bucci, Jr., Charles Oliver, Janet Dunn, Kenneth Meerschaert, Jr.  
ABSENT: None.

The following preamble and resolution were offered by Member OLIVER and supported by Member MEERSCHAERT.

**WHEREAS**, pursuant to 1989 PA 80 (the "Act"), the Township Board is empowered to establish a Special Assessment for the installation and maintenance of street lighting on its motion or upon the submission of petitions as prescribed in the Act; and

**WHEREAS**, the Township Board has determined that the installation of a street light or lights illuminating street serving lands described in Exhibit "A" is necessary to preserve the public health; and

**WHEREAS**, the Township Board desires to establish a Special Assessment District obligating the benefited owners to pay for the cost of installation and operation of street lighting; and

**WHEREAS**, a public hearing for the establishment of a Special Assessment District for street lighting was held coincident with this meeting and was prefaced by published and mailed notice as required by the Act and 1962 PA 162.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

1. It is hereby directed that a street light or lights shall be installed at Evergreen Estates Subdivision, which will illuminate streets, serving and benefiting the lot(s) and/or parcel(s) of land described in Exhibit "A".

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

2. A Special Assessment District consisting of the lot(s) and parcel(s) described in Exhibit "A" is hereby established and the cost for installation of said street lights(s) and all future electrical service be levied against the parcel(s) and/or lot(s) so described in direct proportion to the benefit conferred.

3. The initial installation shall equal the sum of \$23,782.11, together with the first annual electrical service charge in the amount of \$3,246.54, the Township's at-large contribution is \$-0-.

4. The Township Board shall hereafter annually determine the amount to be assessed in the district for lighting and shall direct the assessor to levy this amount. The assessment may be made either in a special assessment roll or in a column provided in the regular tax roll. The assessment shall be spread and become due and be collected at the same time as the other Township taxes are assessed, levied and collected and shall be returned in the same manner for nonpayment.

**AYES:** OLIVER, MEERSCHAERT, DUNN, BUCCI, SNAY, MALBURG, BRENNAN  
**NAYS:** NONE  
**ABSENT:** NONE

**RESOLUTION DECLARED ADOPTED.**

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NORMAN J. SNAY  
MACOMB TOWNSHIP CLERK

**PLANNING COMMISSION:**

9. Request for Variance from the Land Division Ordinance pertaining to the Landscape Easement; Parkview Commons Subdivision; Located south of 23 Mile Road and east of Card Road; Section 23. Elro Corporation, Petitioner. Permanent Parcel No. 08-23-100-015.

Supervisor BRENNAN reviewed the request.

Petitioner Present: Daniel S. Spatafora of Elro Corporation

Public Portion: None

**MOTION by OLIVER seconded by MEERSCHAERT to grant the Variance to the Land Division Ordinance pertaining to the Landscape Easement for Parkview Commons Subdivision as requested to permit the issuance of Building Permits to expire September 30<sup>th</sup>, 2001.**

**FOR THIS MOTION:** OLIVER, MEERSCHAERT, BUCCI, DUNN, MALBURG, SNAY, BRENNAN.  
**OPPOSED:** NONE  
**ABSENT:** NONE

**MOTION carried.**

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

**NEW BUSINESS:**

10. Request for Issuance of Formal S.A.D. Petition; 23 Mile Road Sanitary Sewer Extension located east of Card Road to Township Border, Elro Corporation. (Tabled from the meeting of July 22, 2001).

Supervisor BRENNAN reviewed the request and explained the petition policy process to assure that 51% are in support of a project before processing forward.

Petitioner Present: Daniel S. Spatafora of Elro Corporation

Public Portion: None

**MOTION by OLIVER seconded by DUNN to move forward with the process and issue the Formal S.A.D. (Special Assessment District) Petition for the 23 Mile Road Sanitary Sewer Extension.**

**MOTION carried.**

11. Request to Adopt S.A.D. Resolution No.1 for Retention Basin, Winding Creek Subdivision.

Supervisor BRENNAN reviewed the request.

Clerk SNAY stated his recommendation of Wednesday, August 22, 2001 at 7:00 p.m.

Petitioner Present: Dan LeClair of Atwell-Hicks, Inc.

Public Portion: None

**MOTION by MEERSCHAERT seconded by OLIVER to adopt Resolution No.1 and schedule a Public Hearing for a Retention Basin for Winding Creek Subdivision for Wednesday, August 22, 2001 at 7:00 p.m.**

**MOTION carried.**

12. Approval of Consumers Energy Easement; Winding Creek Subdivision.

Supervisor BRENNAN reviewed the request and the recommendations submitted by the Township Attorney, Larry Dloski.

Petitioner Present: Dan LeClair of Atwell-Hicks, Inc.  
Scott Schwanke of Pulte Land Development

Public Portion: None

**MOTION by DUNN seconded by MALBURG to authorize the Township Supervisor and Clerk to sign the easement contingent upon the developer entering into an agreement with the Township to indemnify the Township and to undertake the construction procedures required by the Consumers Energy Company.**

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

**MOTION carried.**

13. Temporary Certificate of Occupancy; Christian Life Church; Located on the north side of 21 Mile Road and east of the Grand Trunk Railroad. Section 25. (formerly known as Mt. Clemens Christian Fellowship). David F. Muns, Petitioner.

Supervisor BRENNAN reviewed the request and recommendations submitted by the Building Department and Township Engineers of Spalding DeDecker to deny the request.

Petitioner Present: Pastor David F. Muns

Public Portion: None

**MOTION by OLIVER seconded by DUNN to approve the Temporary Certificate of Occupancy for Christian Life Church.**

**MOTION carried.**

14. Request Variance to Land Division Ordinance; Glen Eden East Cemetery. Section 4. AEW, Petitioner.

Tabled; referred to the Planning Commission for review.

- 14a. Request to Schedule Public Hearing Date for Revision of the Traditional Development Neighborhood code.

Supervisor BRENNAN reviewed the request.

Public Portion: None

**MOTION by OLIVER seconded by DUNN to send to matter back to the Planning Commission for review.**

**MOTION carried.**

**BUILDING DEPARTMENT:**

15. Request for Mechanical Inspectors to attend Fall Conference.

Bob Beckett, Building Official, reviewed the request and stated that continual education credit will be earned to maintain certification.

Public Portion: None

**MOTION by MEERSCHART seconded by OLIVER to authorize Karl Ryan and Kenneth Borycz to attend the Mechanical Inspectors Association of Michigan Conference for the total cost of seven hundred fifty dollars and 00/100 (\$750.00) plus meals and mileage.**

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

**MOTION carried.**

16. Discussion regarding Building Codes (Informational).

Informational Only

Bob Beckett, Building Official, stated that due to amendments, the Building Department will be enforcing Michigan Building, Mechanical, Plumbing and Residential Code as of July 31, 2001.

Public Portion: None

**FIRE DEPARTMENT:**

17. Request to Upgrade Records Management Software.

Raymond Ahonen, Fire Chief, reviewed the request and stated the software upgrade will afford the department to better manage information generated from the services the Fire Department provides to the community. Chief Ahonen also stated that numerous surrounding communities are currently using Sunpro software.

Board discussion was held regarding the number of works stations using the new software at this time and in the future.

Public Portion: None

**MOTION by OLIVER seconded by DUNN to authorize the purchase of Sunpro FireRMS 5.0 Enterprise Software for the total cost of three thousand nine hundred eight dollars and 00/100 (\$3,908.00).**

**MOTION carried.**

**WATER/SEWER DEPARTMENT:**

18. Easement Encroachment Agreement, Salvatore & Lisa Dimercurio, 21275 Sue Ellen Drive, Macomb, MI 48042, Lot 15, South Fork Estates.

David Koss, Water/Sewer Superintendent, stated this was an agreement for a pool and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of this agreement.

Public Portion: None

**MOTION by OLIVER seconded by MEERSCHAERT to grant an Easement Encroachment Agreement for a pool for Lot #15; 21275 Sue Ellen in the South Fork Estates Subdivision.**

**MOTION carried.**

- 18a. Easement Encroachment Agreement, Thomas D. and Kelly L. Kowalski, 20289 Ballantrae Drive, Macomb, MI 48044, Lot 346, Beacon Square Subdivision III.

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

David Koss, Water/Sewer Superintendent, stated this was an agreement for a pool sidewalk and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of this agreement.

Public Portion:               None

**MOTION by DUNN seconded by MEERSCHAERT to grant an Easement Encroachment Agreement for a pool sidewalk for Lot #346; 20289 Ballantrae Drive in the Beacon Square Subdivision III.**

**MOTION carried.**

18b.     Easement Encroachment Agreement, Edward L. Jones and Donna L. Jones, 46754 Landings Drive, Macomb MI 48044, Lot 11, Lakeside Landings Subdivision.

David Koss, Water/Sewer Superintendent, stated this was an agreement for a basketball court and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of this agreement.

Public Portion:   None

**MOTION by MALBURG seconded by MEERSCHAERT to grant an Easement Encroachment Agreement for a basketball court for Lot #11; 46754 Landings Drive within the Lakeside Landings Subdivision.**

**MOTION carried.**

19.     Authorization to proceed with 21 Mile and Fairchild Water Facility.

David Koss, Water/Sewer Superintendent, reviewed the request and stated that this facility is master planned for our distribution system and will aid in delivering water throughout the township.

Board discussion was held regarding the benefits to the Township.

Public Portion:               None

**MOTION by OLIVER seconded by MALBURG to grant authorization to proceed with 21 Mile Road and Fairchild Master Water Meter Facility.**

**MOTION carried.**

**BOARD COMMENTS:**

20.     Supervisor's Comments  
        a. Request for leave of absence

Supervisor BRENNAN reviewed the request submitted by Kimberly Friedmann of the Water/Sewer Department.

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

**MOTION by DUNN seconded by OLIVER to grant the leave of absence request of Kimberly Friedmann as submitted.**

**MOTION carried.**

20b. Change Orders on the New Town Center.

Supervisor BRENNAN reviewed six (6) change orders on an individual basis submitted by Premacon Inc., General Contractor, for the New Town Center construction.

1. Backflow checks that are required by the plumbing code to be installed on the sanitary drainage system.

Public Portion: None

**MOTION by MEERSCHAERT seconded by MALBURG to approve the backflow checks for the New Town Center for the total cost of five hundred sixty nine dollars and 00/100 (\$569.00).**

**MOTION carried.**

2. Bulletin #6 to add electrical items; ground fault and circuit work.

Public Portion: None

**MOTION by DUNN seconded by MALBURG to approve Bulletin #6; electrical items for the total cost of one thousand nine hundred eighteen dollars and 00/100 (\$1,918.00).**

**MOTION carried.**

3. Bulletin #8 for plumbing items; installation of floor drains.

Public Portion: None

**MOTION by MALBURG seconded by MEERSCHART to approve Bulletin #8; plumbing/floor drains for the total cost of three thousand one hundred thirty six dollars and 00/100 (\$3,136.00).**

**MOTION carried.**

4. Bulletin #5 for the electrical modification for the required elevator.

Public Portion: None

**MOTION by DUNN seconded by OLIVER to approve Bulletin #5; electrical modification for the required elevator for the total cost of nine hundred seventy three dollars and 00/100 (\$973.00).**

**MOTION carried.**

5. Material and Labor increase for the Flat Roofing due to the increase in time.

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

Public Portion: None

**MOTION by OLIVER seconded by DUNN to approve the Material and Labor increase for the Flat Roofing for the total cost of five thousand seven hundred fifty six dollars and 00/100 (\$5,756.00).**

**MOTION carried.**

6. Bulletin #2 to provide and install an additional three (3) clocks.

Board discussion was held regarding the finishing of the building if the additional clocks were not installed.

Public discussion was held regarding the visibility of the clocks and the roll they play in the total façade of the building.

**MOTION by OLIVER seconded by DUNN to authorize the purchase and installation of three (3) additional clocks for the total cost of sixteen thousand eight hundred fifty three dollars and 00/100 (\$16,853.00).**

**FOR THIS MOTION: OLIVER, DUNN, BUCCI, MEERSCHART, MALBURG, SNAY, BRENNAN.**

**OPPOSED: NONE**

**ABSENT: NONE**

**MOTION carried.**

21. Clerk's Comments

Clerk SNAY stated that the Primary Election date has been set for September 11, 2001 to fill the State Senate seat.

22. Treasurer's Comments

None

23. Trustee's Comments

None

**ADJOURNMENT**

**MOTION by DUNN seconded by MEERSCHAERT to adjourn the meeting at 8:13 p.m.**

**MOTION carried.**

MACOMB TOWNSHIP BOARD MEETING MINUTES  
REGULAR MEETING HELD WEDNESDAY, JULY 25, 2001  
AT 7:00 P.M.

Respectfully submitted,

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John D. Brennan, Supervisor

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Norman J. Snay, Clerk

Eva M. Mayer, Recording Secretary

EMM